

REMARKS

Thorough examination of the application is sincerely appreciated.

Claims were amended solely for non-statutory reasons and, in particular, to remove European-type phraseology and better conform to U.S. patent practice. It is believed that the amendments to the claims do not address any issues of patentability, and Applicant respectfully reserves all rights he may have under the Doctrine of Equivalents.

In response to the objection to the abstract for minor informality, Applicant attaches a new abstract. Entry of the new abstract and withdrawal of the objection are respectfully requested.

Appropriate section headings have been added in response to the objection to the disclosure. Hence, the specification is believed to be in full compliance with 37 CFR 1.77(b), and withdrawal of the objection is respectfully requested.

According to the Office Action, claims 1-10 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent 5,553,314 (hereinafter "Grube"). In response, the rejections are respectfully traversed as lacking sufficient factual support.

Referring to paragraph IX on page 4 of the Office Action, it appears that Grube fails to teach or suggest Applicant's claimed feature of "transmitting a configuration message from the primary station to the at least one secondary station" as recited in claim 1. The Office Action appears to gloss over this fact and is silent on any correspondence between Grube's disclosure and this Applicant's claimed feature. In fact, it is acknowledged in the Office Action that "The communication unit (102) stores the application information in volatile memory (119). Having this information stored, the communication unit (102) prepares a service request by requesting configuration information from the configuration device (115). **Upon receiving the**

configuration information from the configuration device (115) via the second wireless communication path (117), the communication unit (102) can access the wireless system (100) via a first wireless communication path (103)” (emphasis added; see Abstract of Grube and Office Action.) Clearly, Grube discloses the configuration device (115) transmitting configuration information to the configuration device (115). In contrast to Grube, Applicant claims “transmitting a configuration message from the primary station to the at least one secondary station” as recited in claim 1. Obviously, any correspondence or analogy between Grube’s disclosure and Applicant’s claimed feature cannot be factually supported by the prior art of record.

According to the binding case law established by U.S. Court of Appeals for the Federal Circuit and its predecessor Court (as interpreted in Section 2131 of the MPEP), to anticipate a claim, the reference must teach each and every element of that claim. As discussed above, Grube is woefully deficient in teaching each and every element of Applicant’s claim 1. It is, therefore, respectfully submitted that independent claim 1 is not anticipated by Grube. Withdrawal of the rejection is respectfully requested, as it cannot be sustained legally.

Independent claims 4 and 9 contain, among other things, the feature of claim 1 as discussed above. Applicant essentially repeats the same argument as above with reference to claim 1 and assert that claims 4 and 9 are also allowable for the same reasons as claim 1.

Claims 2, 3, 5-8 and 10 depend from independent claims, which have been shown to be allowable over the prior art reference. Accordingly, claims 2, 3, 5-8 and 9 are also allowable by virtue of their dependency, as well as the additional subject matter recited therein. Applicant submits that the reason for the rejection of claims 2, 3, 5-8 and 9 has been overcome and respectfully requests withdrawal of the rejection and allowance of the claims.

In view of the above, it is respectfully submitted that Grube does not anticipate or render obvious the present invention because the prior art reference fails to teach or suggest all of the features of the present invention, as discussed hereinabove.

An earnest effort has been made to be fully responsive to the Examiner's correspondence and advance the prosecution of this case. If there are any questions, the Examiner is respectfully requested to call the undersigned attorney at the number listed below.

Please charge any additional fees associated with this application to Deposit Account No. 14-1270.

Respectfully submitted,

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